



IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

Alexandria Division

UNITED STATES

v.

JOHNNY SOZA

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CRIMINAL NO. 1:12-CR-278-JCC

STATEMENT OF FACTS

Had this matter gone to trial, the United States would have proven the following beyond a reasonable doubt through witnesses, testimony, and other competent and admissible evidence:

1. In April, 2011, Defendant met a fifteen-year old minor female [hereinafter MINOR VICTIM] online in a chat room called "Chat Lobby."
2. MINOR VICTIM informed Defendant that she was fifteen years old and resided in Ontario, Canada.
3. Defendant claimed he was twenty-four years old and lived in Miami.
4. In reality, Defendant was born in May 1977 and resided in Stafford, Virginia.
5. Defendant communicated with MINOR VICTIM for approximately ten months on a regular basis over e-mail, text messaging, and Skype.
6. Defendant communicated with MINOR VICTIM while in the Eastern District of Virginia through the use of his iPhone and Toshiba Laptop.

7. During the course of their communications, Defendant and MINOR VICTIM expressed their "love" for each other.
8. Through the conversations, MINOR VICTIM viewed Defendant as her boyfriend.
9. Defendant never informed MINOR VICTIM that he was married.
10. Defendant engaged in sexually explicit conversations with MINOR VICTIM on numerous occasions, informing MINOR VICTIM that he wanted to have sexual intercourse, oral sex, and anal sex with her.
11. MINOR VICTIM informed Defendant on multiple occasions that she was sexually inexperienced.
12. Defendant informed MINOR VICTIM that he would masturbate for her over Skype via webcam so he could teach her what to do with his body sexually. Defendant did in fact masturbate for MINOR VICTIM over Skype.
13. On or about August 11, 2011, Defendant persuaded and enticed MINOR VICTIM to masturbate for him over webcam via Skype.
14. Defendant also sent several pictures of his erect penis to MINOR VICTIM and requested pictures of her naked body, including her genitals.
15. On or about January 22, 2012, Defendant used, persuaded, and enticed MINOR VICTIM to take a picture of her vagina at his request and send the picture to him. MINOR VICTIM took the picture with her Apple iPod and sent the image via text message to Defendant.
16. Through the course of their communications, Defendant and MINOR VICTIM discussed meeting up in Canada on multiple occasions.
17. Defendant informed MINOR VICTIM that he wanted to engage in sexual activity when they met up, including sexual intercourse.

18. Section 18.2-371 of the Code of Virginia prohibits any person 18 years of age or older, including the parent of any child, to (i) willfully contribute to, encourage, or cause any act, omission, or condition which renders a child delinquent, in need of services, in need of supervision, or abused or neglected as defined in Section 16.1-228 or (ii) engages in consensual sexual intercourse with a child 15 or older not his spouse, child, or grandchild.

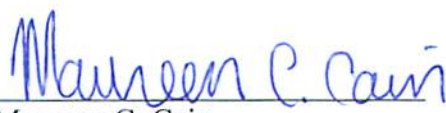
19. On or about February 17, 2012, Defendant drove to Ontario, Canada, picked up MINOR VICTIM after school, and engaged in sexual intercourse with her at a hotel in Canada.

20. In all instances described above, Defendant knowingly and intentionally persuaded, induced, and enticed MINOR VICTIM to engage in sexual intercourse. Defendant did so knowingly and intentionally and not by accident or mistake.

21. Defendant Johnny Soza and the United States agree that this Statement of Facts shall be admissible as a knowing and voluntary confession in any proceeding against Defendant regardless of whether the plea agreement is presented to or accepted by a court. Moreover, Defendant waives any rights that he may have under Federal Rule of Criminal Procedure 11(f), Federal Rule of Evidence 410, the United States Constitution, or any federal statute or rule in objecting to the admissibility of this Statement of Facts in any such proceeding.

Respectfully Submitted,

NEIL H. MACBRIDE
UNITED STATES ATTORNEY

By: 
Maureen C. Cain
Special Assistant United States Attorney

Defendant's Signature: After consulting with my attorney and pursuant to the plea agreement between me, Johnny Soza, and the United States, I hereby stipulate that the above Statement of Facts is true and accurate, and that had the matter proceeded to trial, the United States would have proved the same beyond a reasonable doubt.

Date: 8-5-2012 Johnny Soza
Defendant Johnny Soza

Defense Counsel Signature: I am counsel for Defendant Johnny Soza in this case. I have carefully reviewed the above Statement of Facts with him. To my knowledge, his decision to stipulate to these facts is an informed and voluntary one.

Date: 8-5-2012 Karen Scarborough
Karen Scarborough
Counsel for the Defendant